

THE TOWN OF MINNEDOSA

BY LAW NO. 2585

BEING A BY-LAW OF THE TOWN OF MINNEDOSA to regulate the removal of snow and ice from sidewalks and control obstructions such as signs on the sidewalks in the Town of Minnedosa.

WHEREAS section 232(1) of the Municipal Act S.M. 1996, c.58 C.C.S.M. c. M225 provides in part as follows;

232(1) A council may pass by-laws for municipal purposes respecting the following matters;

- (a) The safety, health, protection and well-being of people, and the safety and protection of property;
- (b) People, activities and things in, on or near a public place or a place open to the public, including parks, municipal roads, recreation centres, restaurant, facilities, retail stores, malls, and private clubs and facilities that are exempt from municipal taxation;
- (c) The enforcement of by-laws.

AND WHEREAS section 232(2) of The Municipal Act, S.M. 1996, c.58 C.C.S.M c. M225 provide in part as follows:

232(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this division:

- (a) regulate or prohibit;
- (d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership direction, management or control of the municipality;

AND WHEREAS section 234 of The Municipal Act, S.M. 1996, c.58 C.C.S.M. c. M225 provides in part as follows:

234 Without limiting the generality of clause 232(1)(f) (property adjacent to highways or municipal roads), a by-law passed under the clause may include provision respecting signs, survey monuments, landscaping and setbacks, including;

- (b) the control and removal of trees, shrubs, weeds, grass, snow, ice and obstructions;

AND WHEREAS section 236(1) of The Municipal Act, S.M. 1996, c.58 C.C.S.M. c. M225 provides in part as follows:

236(1) Without limiting the generality of clause 232(1)(o) (enforcement of by-laws) and subject to subsection (3), a by-law passed under that clause may include provisions:

- (b) remedying contraventions of by-laws, including;
 - (i) creating offences,
 - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offence, or related to enforcing the by-law,
 - (iii) providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act,

NOW THEREFORE, The Town of MINNEDOSA, in Council duly assembled, enacts as follows:

Every occupant, or if there is no occupant, the owner or person having charge of ever business premise, shop, building, lot, or parcel of land fronting or abutting on any street in the Town of MINNEDOSA shall:

- 1) before 10:00 a.m., following every fall of snow, hail or rain, which shall freeze on the sidewalk, or after falling of snow or ice from off any building, in those areas included within the Town of MINNEDOSA, cause the same to be removed entirely off the sidewalk fronting or abutting on such premise, shop, building lot or parcel of land and allowing the snow to be pushed into the

gutter area of the street, provided always that in the event the ice or snow shall lie frozen upon the surface, preventing it to be removed without damage to the sidewalks, every such person shall strew the same with sand or some suitable substance that will not damage the said sidewalk surface; and,

- 2) before 10:00 a.m., remove from the sidewalk fronting or abutting the aforesaid properties all dirt or other obstructions; and,
- 3) obstructions such as signs, vending machines, fixtures, etc. shall not be permitted without prior approval by the Town of MINNEDOSA; and,
- 4) when the day for cleanup under paragraphs (1) and/or (2) hereof falls on a holiday, then the cleanup may be delayed until the day following the holiday, except when a business affected by this provision is open on any such holiday, then said provisions are to be met on this holiday; and,
- 5) where the provisions of paragraphs (1) and/or (2) hereof have not been met within 24 (twenty-four) hours of the time specified in the said clauses, then the Town of MINNEDOSA Public Works Department shall cause the snow, ice, dirt, or other obstructions to be removed, the expense of such cleanup to be recorded and charged to the owner or owners of the land in default; and,
- 6) the Manager of Operations shall monthly report all such expenditures to the Manager of Finance and the expenditures shall be charged against the adjacent lot or parcel of land on the tax roll for the calendar year of such cleanup and collected in the same manner as ordinary municipal taxes.

DONE AND PASSED by the Council of the Town of MINNEDOSA, duly assembled at the Town of MINNEDOSA Civic Centre, in MINNEDOSA, Manitoba this 6th day of December, 2022.

Ken Cameron, Mayor

James Doppler, CAO

Read a first time this 15th day of November, A.D., 2022

Read a second time this 6th day of December, A.D., 2022

Read a third and final time this 6th day of December, A.D. 2022